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OFFICE OF PETITIONS

In re Application of
Tidwell et al.
Application No. 10/824,845
Filed: April 15, 2004
Attorney Docket No. OT2.P17-4

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ON PETITION

This is a decision on the petition under 37 CFR §1.181(a) to withdraw the holding of abandonment, filed August 19, 2005.

The petition to withdraw the holding of abandonment is **GRANTED**.

This application became abandoned for failure to timely submit the issue and publication fees, as required by the Notice of Allowance and Fee (s) Due which was mailed January 28, 2005. The Notice of Allowance and Fee (s) Due set a three (3) month statutory period for reply. Extensions of time were not available under the provisions of 37 CFR 1.136(a). Accordingly, this application became abandoned on April 29, 2005. A Notice of Abandonment was mailed on July 29, 2005.

Petitioner asserts that the Notice of Allowance and Fee (s) Due mailed on January 28, 2005 was never received. A review of the record indicates the Notice of Allowance and Fee (s) Due was mailed to an incorrect correspondence address. A change of correspondence address was received in the Office on January 4, 2005. However the change of correspondence address was not entered. Thus the Notice of Allowance and Fee (s) Due was improperly mailed.

This application is being forwarded to Art Unit 2673 for re-mailing of the Notice of Allowance and Fee (s) Due and the Notice of Allowability to the correct correspondence address of record. The three month non-extendable time period for reply will be set to run from the mailing date of the new Office Communication.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.

A handwritten signature in black ink, appearing to read "Charlema R. Grant". The signature is fluid and cursive, with a distinct "A" at the end.

Charlema R. Grant
Petitions Attorney
Office of Petitions